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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 DANIEL CHRISTOPHER YOUNG,

12 Plaintiff,

13 v.

14 STEVEN RICHARD BURLINGHAM, et  
15 al.,

16 Defendants.  
17

No. 2:22-cv-00053 TLN CKD (PS)

ORDER

18 Plaintiff is proceeding in this action pro se. Plaintiff has requested authority pursuant to  
19 28 U.S.C. § 1915 to proceed in forma pauperis. This proceeding was referred to this court by  
20 Local Rule 302(c)(21).

21 Plaintiff has submitted the affidavit required by § 1915(a) showing that plaintiff is unable  
22 to prepay fees and costs or give security for them. Accordingly, the request to proceed in forma  
23 pauperis will be granted. 28 U.S.C. § 1915(a).

24 The federal in forma pauperis statute authorizes federal courts to dismiss a case if the  
25 action is legally “frivolous or malicious,” fails to state a claim upon which relief may be granted,  
26 or seeks monetary relief from a defendant who is immune from such relief. 28 U.S.C.  
27 § 1915(e)(2).

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1 Here, plaintiff's brief and conclusory allegations do not state a federal claim against any  
2 defendant. The federal courts are courts of limited jurisdiction. In the absence of a basis for  
3 federal jurisdiction, plaintiff's claims cannot proceed in this venue. Because there is no basis for  
4 federal subject matter jurisdiction evident in the complaint, plaintiff will be ordered to show cause  
5 why this action should not be dismissed. Failure to allege a proper basis for subject matter  
6 jurisdiction will result in a recommendation that the action be dismissed.

7 Accordingly, IT IS HEREBY ORDERED that:

- 8 1. Plaintiff's request to proceed in forma pauperis (ECF No. 2) is granted;
- 9 2. No later than February 14, 2022, plaintiff shall show cause why this action should not  
10 be dismissed for lack of subject matter jurisdiction.

11 Dated: January 12, 2022

  
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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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